

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 9, 2005. Claims 1-16 remain in this application. Claims 1, 5 and 11 are the independent claims. It is believed that no new matter is involved in the arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

Allowable Subject Matter

Claims 6-8 and 14-16 were indicated to be allowable if rewritten independent form to include all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner and formally recognizes the allowable subject matter of Claims 6-8 and 14-16.

Art-Based Rejections

Claims 1-5 and 9-13 are rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-6 of USPN 6,927,989 (Fukumoto).

Applicant respectfully traverses these rejections and submits that the claims herein are patentable in light of the arguments below.

The Claims are Patentable Over the Cited References

In response to the rejection of Claims 1-5 and 9-13 under the judicially created doctrine of obviousness-type double patenting over Claims 1-6 of USPN 6,927,989, a terminal disclaimer has been prepared and is respectfully submitted herewith to overcome this rejection.

With the filing of the terminal disclaimer, Claims 1-5 and 9-13 are in condition for allowance and such allowance is respectfully requested.

Appl. No. 10/501,579
Amdt. Dated February 9, 2006
Reply to Office Action of November 9, 2005

Attorney Docket No. 81876.0070
Customer No.: 26021

The remaining Claims 6-8 and 14-16 were objected to as being dependent on rejected base Claims 5 and 11, respectively. However, the rejection of Claims 5 and 11 has been overcome with the terminal disclaimer filed herewith. Therefore, as conceded by the Office Action, Claims 6-8 and 14-16 are in condition for allowance with such allowance is respectfully requested.

Conclusion


In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6809 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: February 9, 2006

By: 
Dariush G. Adli
Registration No. 51,386
Attorney for Applicant(s)